

REMARKS

Claims 1-6, 20-22, 24, 28-34, 36, 37-48, and 50-52 are pending in the application. Claims 1, 4, 20, 24, 28, 32,33-34, 36, 43, and 51-52 are amended, and claims 7 -19, 23, 25-27, 35, 37, 44, and 49 have been previously cancelled without prejudice pursuant to a restriction requirement. Further, claims 38-42 have been allowed. No new matter has been introduced by the amendment.

Rejection Under 35 U.S.C. §102(e)

Claims 1-6, 20-22, 24, 28-34, 36, 43, 45-47, and 50-52 have been rejected over Schroeder et al. This rejection is overcome in view of the amendment of claims 1, 4, 20, 24, 28, 32, 43, and 51 together with the following remarks.

In the Advisory Action of November 24, 2008, the Examiner asserted that the applicants' argument regarding patentability of claim 1 did not correspond to the claim language. Accordingly, the applicants have amended claim 1 to clarify the relationship with respect to the inlet and outlet openings. Claim 1, as amended, recites a selection manifold having an outlet opening on a face thereof, and at least first and second inlet openings on the face. The first and second inlet openings reside on either side of the outlet opening. The applicants assert that Schroeder et al. do not suggest or disclose the selection manifold recited by claim 1.

The applicants further assert that Schroeder et al. do not suggest or disclose a lock to prevent the unintentional change of the selector mechanism. The Examiner refers Col 5. Line4s 34-49 which describe the guide slot (31a) shown by Schroeder et al. in FIG. 2. The applicants again assert that the guide slot merely restricts the rotation of selector (5) and does not lock the selector "to prevent unintentional change of the selector mechanism between the first and second positions," as recited by claim 1.

Claims 2-3 are allowable in view of their direct and indirect dependence from claim 1.

Claim 4 recites a selector manifold including a manifold block containing one or more cells, where each of the one or more cells has an outlet opening and at least first

and second inlet openings on an outer surface thereof and opening into an inner surface thereof. A selector mechanism comprises a cap with a channel along a face thereof. The cap is configured to be positioned in a first position and a second position against the outer wall of the manifold block.

The applicants assert that Schroeder et al. do not suggest or disclose the selector mechanism recited by claim 4. The valve of Schroeder et al. is inserted into a cavity within a block and cannot be positioned against an outer wall. Accordingly, Schroeder et al. does not suggest or disclose any type of cap positioned against an outer wall and having a channel configured to cooperate with openings in communication with an inner surface of a manifold block.

Claims 5 and 6 are allowable in view of their direct and indirect dependence from claim 4.

Claim 20, as amended, recites a beverage selection manifold having a cap configured to be removed. The cap includes a channel and has a face that is positionable against an outer wall of the cell in a first cap position and a second cap position. Schroeder et al. does not suggest or disclose a cap that is configured to be positioned against an outer wall of a cell. Accordingly, claim 20 distinguishes over Schroeder et al.

Claims 21 and 22 are allowable in view of their dependence from claim 20.

Claim 24, as amended, recites a method of switching a supply line to a dispensing valve. The manifold body has an inner wall opposite an outer wall. The user selects the fluid supply to a beverage valve by positioning a cap against the outer wall of a manifold body. Once in position, fluid flows from lines within the inner wall through the cap positioned against the outer wall of the manifold body. This method is not suggested or disclosed by Schroeder et al.

Claim 28 recites a beverage selection manifold including a plurality of caps each configured to be removed. Each of the caps includes a channel therein configured to be positioned against an outer wall of one of the sections of the manifold body. Again, Schroeder does not suggest or disclose the claimed beverage selection manifold.

Claims 29-31 are allowable in view of their dependence from claim 28.

Claim 32 recites a beverage selection manifold that includes multiple cells. Each cell has a first and second inlet orifices and first and second outlet orifices. In contrast to the beverage selection manifold recited by claim 32, Schroeder et al. discloses two cells in a block. Through one of the cells, syrup is dispensed through a single outlet opening and enters the cell from a single inlet opening. In the other cell, water is selected from a first inlet opening or a second inlet opening and distributed to a single outlet opening. Accordingly, the assembly of Schroeder et al. does not have the claimed first and second inlet orifices and the claimed first and second outlet orifices. The function of the claimed detachable body is to create a flow path between the first and second inlet orifices and first and second outlet orifices. In contrast, Schroeder et al. has a rotational inlet switch assembly that is rotated between two positions to alternatively provide a flow path from one or two inlet openings to a single, common outlet opening.

Further, claim 32 has been amended to recite at least one body configured to be detached from the manifold body. As described above, Schroeder et al. do not suggest or disclose any type of body configured to be detached from the manifold block and that can be alternatively positioned to stop fluid flow from one of the two inlet openings within each cell of the manifold.

Claims 33 and 34 have been amended to correspond to the amendment of claim 32 from which they depend. These claims are allowable in view of their dependence from claim 32.

Claim 36 depends from claim 32 and, as amended, recites that the cap is configured to be positioned adjacent arrangement an outer wall of one of the cells in a first cap position and a second cap position. This is not suggested or disclosed by Schroeder et al.

Claim 43 recites a beverage selection manifold that includes a manifold body having multiple cells. Each cell has first and second inlet orifices and first and second outlet orifices. Schroeder et al. fail to suggest or disclose a cell having first and second inlet orifices and first and second outlet orifices. Further, claim 43 recites that at least

one body is configured to be detached and to stop fluid flow from a first outlet orifice in a first position and from a second outlet orifice in a second position.

Claims 45-47 and 50 are allowable in view of their dependence from claim 43.

Claim 51 recites a beverage selection manifold that includes multiple cells, where each cell has first and second inlet orifices and first and second outlet orifices. Further, the first and second inlet orifices are connected to respective first and second elongated channels. The beverage selection manifold further includes at least one body configured be detached from the manifold and to stop fluid flow from a first outlet orifice in a first position and from a second outlet orifice in a second position as described above. Schroeder et al. fails to suggest or disclose a cell having the recited first and second inlet orifices and first and second outlet orifices.

Claim 52 has been amended to recite that the body comprise a cap configured to be removed from the manifold. This claim is allowable in view of its dependence from claim 51.

Rejection Under 35 U.S.C. §103(a)

Claim 48 has been rejected over Schroeder et al. This rejection is overcome in view of the following remarks.

Claim 48 directly depends from claim 43. Accordingly, the applicants' foregoing remarks pertaining to claim 43 and Schroeder et al. are incorporated by reference herein. The applicants assert that claim 48 is allowable at least in view of the recitation in claim 43 of a manifold body that includes multiple cells, where each cell has first and second inlet orifices and first and second outlet orifices. Accordingly, the beverage selection manifold of claims 43 and 48 both structurally and functionally differs from the assembly disclosed by Schroeder et al.

The applicants assert that one skilled in the art would not find it obvious to somehow transform the assembly of Schroeder into a beverage selection manifold serviced by two inlet orifices and two outlet orifices, and in which flow channels are created by positioning a detachable body with respect to the inlet orifices and outlet orifices.

Allowed Claims

The allowance of claims 38-42 is acknowledged.

The applicants have a novel and non-obvious contribution to the art of beverage selection manifold function and design. The claims at issue distinguish over the cited reference and are in condition for allowance. Accordingly, such allowance is now earnestly requested.

Respectfully submitted,

/Jasper W. Dockrey/
Jasper W. Dockrey
Registration No. 33,868
Attorney for Applicants

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, ILLINOIS 60610
(312) 321-4200